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|  |                              |                                |
|--|------------------------------|--------------------------------|
| TRANSMITTAL OF APPEAL BRIEF  |                              | Docket No.<br>I0717.0002       |
| In re Application of: Fabrizio Samaritani et al.   |                              |                                |
| Application No.<br>10/009,380-Conf. #7144  | Filing Date<br>April 1, 2002 | Examiner<br>R. M. Deberry      |
| Invention: GRF-CONTAINING LYOPHILIZED PHARMACEUTICAL COMPOSITIONS  |                              |                                |
| <b><u>TO THE COMMISSIONER OF PATENTS:</u></b>  |                              |                                |
| Transmitted herewith is the Appeal Brief in this application, with respect to the Notice of Appeal filed: <u>July 13, 2004</u> .   |                              |                                |
| The fee for filing this Appeal Brief is <u>\$ 340.00</u> .   |                              |                                |
| <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity   |                              |                                |
| <input type="checkbox"/> A petition for extension of time is also enclosed.  |                              |                                |
| The fee for the extension of time is <u>\$ 860.00</u> .  |                              |                                |
| <input type="checkbox"/> A check in the amount of _____ is enclosed.   |                              |                                |
| <input type="checkbox"/> Charge the amount of the fee to Deposit Account No. _____<br>This sheet is submitted in duplicate.  |                              |                                |
| <input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.   |                              |                                |
| <input type="checkbox"/> The Director is hereby authorized to charge any additional fees that may be required or credit any overpayment to Deposit Account No. <u>50-2215</u><br>This sheet is submitted in duplicate. |                              |                                |
|  |                              | Dated: <u>November 9, 2004</u> |
| Edward A. Meilman<br>Attorney Reg. No.: 24,735<br>DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP<br>1177 Avenue of the Americas<br>41st Floor<br>New York, New York 10036-2714<br>(212) 896-5471                               |                              |                                |

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PTO/SB/17 (10-04v2)

Approved for use through 7/31/2006. OMB 0651-0032  
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# FEET TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,200.00)

## Complete if Known

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/009,380-Conf. #7144 |
| Filing Date          | April 1, 2002          |
| First Named Inventor | Fabrizio Samaritani    |
| Examiner Name        | R. M. Deberry          |
| Art Unit             | 1647                   |
| Attorney Docket No.  | I0717.0002             |

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

## Deposit Account:

Deposit Account Number 50-2215

Deposit Account Name Dickstein Shapiro Morin & Oshinsky LLP

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity        | Small Entity | Fee Description | Fee Paid  |
|---------------------|--------------|-----------------|---|
| Fee Code            | Fee (\$)     | Fee Code        | Fee (\$)  |
| 1051                | 130          | 2051            | 65 Surcharge - late filing fee or oath  |
| 1052                | 50           | 2052            | 25 Surcharge - late provisional filing fee or cover sheet.                    |
| 1053                | 130          | 1053            | 130 Non-English specification   |
| 1812                | 2,520        | 1812            | 2,520 For filing a request for ex parte reexamination                         |
| 1804                | 920*         | 1804            | 920* Requesting publication of SIR prior to Examiner action                   |
| 1805                | 1,840*       | 1805            | 1,840* Requesting publication of SIR after Examiner action                    |
| 1251                | 110          | 2251            | 55 Extension for reply within first month                                     |
| 1252                | 430          | 2252            | 215 Extension for reply within second month                                   |
| 1253                | 980          | 2253            | 490 Extension for reply within third month                                    |
| 1254                | 1,530        | 2254            | 765 Extension for reply within fourth month                                   |
| 1255                | 2,080        | 2255            | 1,040 Extension for reply within fifth month                                  |
| 1401                | 340          | 2401            | 170 Notice of Appeal  |
| 1402                | 340          | 2402            | 170 Filing a brief in support of an appeal                                    |
| 1403                | 300          | 2403            | 150 Request for oral hearing  |
| 1451                | 1,510        | 1451            | 1,510 Petition to institute a public use proceeding                           |
| 1452                | 110          | 2452            | 55 Petition to revive - unavoidable   |
| 1453                | 1,370        | 2453            | 685 Petition to revive - unintentional  |
| 1501                | 1,370        | 2501            | 685 Utility issue fee (or reissue)  |
| 1502                | 490          | 2502            | 245 Design issue fee  |
| 1503                | 660          | 2503            | 330 Plant issue fee   |
| 1460                | 130          | 1460            | 130 Petitions to the Commissioner   |
| 1807                | 50           | 1807            | 50 Processing fee under 37 CFR 1.17(q)  |
| 1806                | 180          | 1806            | 180 Submission of Information Disclosure Stmt                                 |
| 8021                | 40           | 8021            | 40 Recording each patent assignment per property (times number of properties) |
| 1809                | 790          | 2809            | 395 Filing a submission after final rejection (37 CFR 1.129(a))               |
| 1810                | 790          | 2810            | 395 For each additional invention to be examined (37 CFR 1.129(b))            |
| 1801                | 790          | 2801            | 395 Request for Continued Examination (RCE)                                   |
| 1802                | 900          | 1802            | 900 Request for expedited examination of a design application                 |
| Other fee (specify) |              |                 |   |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,200.00)

\*\*or number previously paid, if greater; For Reissues, see above

| (Complete if applicable) |                   |                                      |        |           |                  |
|--------------------------|-------------------|--------------------------------------|--------|-----------|------------------|
| Name (Print/Type)        | Edward A. Meilman | Registration No.<br>(Attorney/Agent) | 24,735 | Telephone | (212) 896-5471   |
| Signature                | Edward A. Meilman |                                      |        | Date      | November 9, 2004 |